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Minutes

Board of Elevator Regulations

One Ashburton Place, 21st Floor – Conference Room #1

September 20, 2016 at 1:00PM

Board Member Present:

Stephen Sampson, Chairman
Harold J. McGonagle
David Gaudet
John O'Donoghue
David Morgan
Michael J. Nicoloro Jr.

Board Members Absent:

Thomas Riley
Cheryl Davis

Guests Present:

John Bangs (Anchor Line Partners)
Neeraj Chander (CBT Architects)
Noel Herchell (Van Deusen & Associates)
Daniel Ramsey (Novartis)
Anthony Miniscalco (Steffian Bradley Architects)
Peter Harrod (Code Red Consultants)
Keith Whited (Thompson Consultants)
Ruthy Barros (DPS)

The Board of Elevator Regulations reviewed the minutes pertaining from the BER meeting that has held on August 30, 2016. **A motion to accept the minutes with the noted corrections was made by David Gaudet. The motion was seconded by Michael J. Nicoloro Jr. Vote: 5-0; Granted and abstained by Harold J. McGonagle.**

The Board discussed the following:

1. 200 Smith Street – Waltham, MA

524 CMR Section 35.00, A17.1-2004 Sections 2.2.1, 2.2.7, 2.4.1, 3.4.4 and 3.4.7

Petitioner: John Bangs

Owner: NWALP Property Owner LLC

The petitioner came before the Board seeking a variance in regards to the installation of three Gillespie shallow pit and shallow overhead type passenger elevators, model PPRH-2-S. The petitioner stated the location is an existing U.S. Postal facility that is being converted to different uses. There are three existing VRC's and the owner would like to reuse those hoistways to install three passenger elevators, two 2,100 lbs and one 3,500 lbs for stretcher access. The petitioner stated that there are some restrictions due to a high water table and existing overhead structures. The proposed units are to be installed in existing VRC hoistways which have 1ft existing pits, deepening the pits is not feasible due to underground issues. The motion was put forth by David Morgan to grant the variance as requested with proper signage, both in the car top pit and machine room. Justification being that the concerns of refuge space, both above and below the car, have been satisfactorily addressed and explained. The motion was seconded by Harold J. McGonagle.

Motion: David Morgan

Seconded by: Harold J. McGonagle

Vote: 6-0; Granted.

2. 1 Washington Street – Boston, MA

Unit: 1-P-13877

Relief from Inspector's Report

Petitioner: Michael Mondello

Owner: Staples

The petitioner contacted the Department of Public Safety on September 20, 2016 and requested to postpone their petition for a later date. A motion was put forth by David Gaudet to request that the Department of Public Safety research unit 1-P-13877 for noncompliance. The motion was seconded by Stephen Sampson.

Motion: David Gaudet

Seconded by: Stephen Sampson

Vote: 6-0; Unanimous.

3. 250 Massachusetts Avenue – Cambridge, MA

Units: 49-P-2463, 49-P-2464, 49-P-2465, 49-P-2466

Interpretation of 524 CMR

Petitioner: Jerry Nadeau

Owner: Novartis Institutes for Bio Medical Research

The petitioner came before the Board seeking an interpretation to section 2.1.1.2.2 (d) regarding laminated glass conforming to ANSI Z97.1 under Chapter 35 of 524 CMR. The petitioner stated that the hoistway enclosures are made of glass and that the glass around the enclosure is deficient in one area, and that is in meeting the ANSI as it currently stands. A licensed Architect and Engineer was hired to remediate the situation. The glass enclosure was defined as a guard rail on initial construction plans and was ANSI rated but not ANSI laminated glass. A motion was put forth by John O'Donoghue to accept the interpretation. The motion was seconded by Michael J. Nicoloro, Jr.

Motion: John O'Donoghue

Seconded by: Michael J. Nicoloro, Jr.

Vote: 6-0; Granted.

4. 2 Newbury Street

Unit: 1-P-5673

Relief from Inspector's Report

Petitioner: Justin Rose

Owner: Burberry

The petitioner contacted the Department of Public Safety on September 20, 2016 and requested to postpone their petition for a later date. A motion was put forth by Stephen Sampson that the Department of Public Safety investigate the petitioner's variance request. The motion was seconded by Harold J. McGonagle.

Motion: Stephen Sampson

Seconded by: Harold J. McGonagle

Vote: 6-0; Unanimous.

5. Gould Construction Institute – Woburn, MA

Apprentice Course Curriculum

Petitioner: Barbara A. Lagergren

The Board of Elevator Examiners reviewed the Gould Construction Institute proposed Apprentice Course Curriculum on September 7, 2016 and referred it back the Board of Elevator Regulations (“Board”). A motion was put forth by David Morgan place the petition on hold and to request that legal be present for the next scheduled BER meeting to discuss the options that the Board has in regards to the Continuing Education Program. In addition, the Board requested to view the full detailed curriculum from Gould Construction Institute.

Motion: David Morgan

Seconded by: Harold J. McGonagle

Vote: 6-0; Place on hold.

Exhibit List:

Exhibit 1: Meeting minutes from August 30, 2016

Exhibit 2: Variance Petition – 200 Smith Street – Waltham, MA

Exhibit 3: Floor and Elevator Plans – 200 Smith Street – Waltham, MA

Exhibit 4: Variance Petition – 250 Massachusetts Avenue – Cambridge, MA

Exhibit 5: Gould Construction Institute proposed Apprentice Course Curriculum

Motion to adjourn by: David Morgan

Seconded by: Harold J. McGonagle

Vote: 6-0; Granted.

Hearing Concluded at 2:14 p.m.

Prepared by: Ruthy Barros